

**BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH**

In the matter of: reclamation at the Elite Rock-West mine, permit no. S/049/050, operated by Wasatch Mountain Excavating, located southwest of Elberta in the southwestern Utah County, Utah

NOTICE OF HEARING

Docket No. 2015-023

Cause No. S/049/0050

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE
ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on **WEDNESDAY, AUGUST 26, 2015, at 9:00 AM**, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. and as provided for in Utah Code Ann. § 40-8-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action that the Board enter an Order:

1. Ordering forfeiture of the \$10,000 surety in place for reclamation of the Elite Rock-West mine under Utah Code § 40-8-14-6(a)-(b) and Utah Administrative Code Rule 647-3-112.

2. Ordering the Division to reclaim the Elite Rock-West mine using the forfeited funds under Utah Code § 40-8-12.5 and Utah Administrative Code Rule 647-3-112.

3. Requesting that the Attorney General and the Division seek all outstanding civil penalties and fees in a judicial action under Utah Code § 40-8-9.1(4).

4. Providing such other equitable relief as may be just and reasonable based on the evidence and arguments provided at the hearing.

Objections to the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. A party must file a timely written objection or other response in order to participate as a party at the Board hearing. Failure to participate can result in a default judgment.


Natural persons may appear and represent themselves before the Board. All other representation of parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned, and inspected online at the Utah Board of Oil, Gas and Mining's website at <http://ogm.utah.gov/amr/boardtemp/redesign/books.html>.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 28th day of JULY, 2015.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Ruland J. Gill, Jr., Chairman



/s/ Julie Ann Carter
Board Secretary
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF PUBLISHED NOTICE

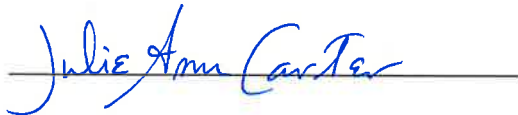
I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2015-021, Cause Nos. S/023/0058 to be PUBLISHED in the following newspapers on the following days:

August 2, 2015:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

August 2, 2015:

Daily Herald, a newspaper of general circulation in Juab, Sanpete, Utah, and Wasatch Counties.



CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of July, 2015, I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2015-023 Cause No. S/049/0050, to be mailed by Email or via First Class Mail with postage prepaid, to the following:

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